

**REPORT OF THE LEGISLATIVE STRENGTHENING ASSESSMENT OF THE  
BULGARIAN NATIONAL ASSEMBLY**

**A Proposal for a Strategic Approach to Strengthening the Effectiveness,  
Transparency, Accountability and Responsiveness of the National Assembly**

**Prepared for:**

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## **Executive Summary**

The Bulgaria National Assembly completed its 38<sup>th</sup> parliamentary term on April 19, 2001. Significantly, it was the first National Assembly to complete its full four year term of office since the adoption of the new Constitution on July 12, 1991, thus reflecting a certain level of maturity, stability and productivity unmatched by prior National Assemblies since the beginning of the democratic political transition in 1989. During its 38th parliamentary term, the National Assembly enacted an ambitious package of economic reform and privatization legislation and moved towards closer integration with the European Union by ensuring that laws enacted by the National Assembly conformed to EU standards.

The National Assembly operates in a relatively effective and efficient manner. There are defined rules of procedures, adequate facilities, good management and administration, a broad range of legislative support services, a functioning legislative process, and significant committee processes. However, there appears to be genuine recognition among many people both within and outside the National Assembly that it could be a stronger and more representative, accountable, and responsive institution. The National Assembly faces difficulties in fully and adequately performing its constitutionally mandated duties to represent the people, exert legislative authority, and exercise parliamentary control. As a result, there is a need for reforms and changes in the legislative process and in how the National Assembly currently operates and performs its functions. Some of these reforms are institutional in nature and would need to address entrenched power structures in the political system. Other reforms, however, would not threaten these existing political power structures and could probably garner support from a broad cross-section of the legislative community.

In terms of its representation functions, the National Assembly is relatively open in its parliamentary practices and is reasonably transparent to outside scrutiny. However, interactions between the National Assembly and members of the public often do not involve substantive or meaningful public participation in the law-making process nor do they lead to satisfactory results in the area of constituency relations. In addition, the nature of the electoral system may reduce the incentive and motivation of many MPs to engage in extensive or effective constituency relation activities. The proportional representation, closed party list electoral system, along with the dominating and polarizing influence of political parties, tends to weaken the links between MPs and their constituents and limits the access and ability of civil society, business, and other outside groups and individuals to play a positive role in the policy-making and legislative process.

The National Assembly's performance in the lawmaking process has come under widespread criticism, both within and outside the institution. One of the most serious problems has been the poor quality of some of the laws enacted by the National Assembly. Reasons for this poor quality include the lack of good expert advice and analysis on draft laws, the rapid review process, the extreme politicization of the

legislative process, the lack of a constructive role for the opposition, and problems in the rules and procedures of the legislative process.

Although the National Assembly has an extensive range of oversight tools and mechanisms available to it under the Standing Rules, the nature of the parliamentary system in Bulgaria results in very little action by the National Assembly in this area. The National Assembly is especially weak in the area of reviewing and monitoring the national budget.

A USAID assistance program should focus, at least initially, on a limited number of goals and objectives. These goals and objectives should center on broadening citizen participation in the legislative process, promoting accountability over the national budget, and increasing the National Assembly's representational capacities. To achieve these goals and objectives, this report contains the following recommendations:

### **Recommendations**

- Engage in consultations with, receive ideas and comments from, and enlist the support of, leadership, senior staff, and/or prominent members of political groups within the National Assembly on the Statement of Work for a legislative strengthening assistance program.
- Support the continued development and expansion of the Parliamentary Information Center.
- Increase public participation in the legislative process by strengthening the ability of commissions to receive and process public input and comments through organized formal public hearings.
- To the extent possible, assistance to strengthen the Commissions should be centered around specific draft laws or policy issues that coincide with other USAID/Sofia strategic objectives in order to provide linkages and synergy with other USAID-funded projects in Bulgaria.
- Support the further development of information technologies and web design to facilitate communication within and outside the National Assembly and to increase the National Assembly's ability to disseminate and receive information via the Internet or through the Parliamentary Information Center.
- Assistance to MPs on improving constituent relations and linkages is better delivered in the context of a political party assistance program, which should be separate from the legislative assistance program.
- Strengthen the capacity of commission advisors and other appropriate legislative staff to provide in-depth bill analysis and evaluation of draft laws.
- Continue to support the Legislative Internship Program while jointly devising with the National Assembly, a long-term sustainability plan for the program.
- Provide policy experts and seminars on specific policy issues for MPs on draft laws and issues being considered by the National Assembly and assist the National Assembly in developing a database containing names of these types of experts.

- Refrain for now from providing assistance to create a centralized research service within the National Assembly.
- Provide assistance in the form of comparative specialists on legislative process and procedures, as needed, to help the National Assembly revise its Standing Rules to increase the quality and efficiency of its lawmaking process.
- Conduct a new member orientation program near the beginning of the 39<sup>th</sup> National Assembly.
- Develop the skills and capacity of academic institutions, economic think tanks, and/or issue-oriented NGOs, civil society organizations, and interest groups to engage in budgetary and fiscal analysis, budget policy development, performance based budgeting, issue oriented budget analysis, draft law fiscal impact evaluation, budget projecting and revenue forecasting, budget information services, review of the government accounts, and monitoring and publicizing of budget implementation including revenues, expenditures, and debt.
- Provide budget-related assistance in the form of training, educational seminars, or study missions on budget-related issues, practices, and oversight mechanisms targeting MPs and staff of the relevant legislative commissions that have primary responsibilities for budget and finance issues.
- Assistance should be provided to help the National Assembly engage in a strategic planning process designed to create a long-term institutional development plan.
- Provide technical assistance and equipment, as determined through an in-depth assessment of the National Assembly's information technology capacity, to help improve the flow of electronic information within and outside the National Assembly.

## Introduction and Methodology

This purpose of this assessment is to assist USAID-Sofia in designing a legislative strengthening assistance program for the Bulgarian National Assembly. The research and interviews for this assessment took place between April 17 and May 2, 2001. Interviews were conducted with members of parliament (MPs),<sup>1</sup> National Assembly staff, representative of NGOs, think tanks, and civil society organizations, journalists, USAID representatives from the Sofia Mission, and other American contractors and grantees working in Bulgaria (See Appendix A). Various documents and reference materials concerning the National Assembly were also reviewed for purposes of this assessment (See Appendix B).

This legislative strengthening assessment was conducted at the same time as, and in parallel with, an overall strategic assessment of the democracy and governance situation in Bulgaria by a team of three specialists from USAID (hereinafter referred to as the “DG assessment”). Although each assessment team conducted mostly separate interviews, information and findings of each team were shared with the other. The overall DG assessment is important for identifying the basic democracy and governance issues and problems in Bulgaria and providing guidance on the relative advantages of targeting the National Assembly for assistance as opposed to, or in conjunction with, other democracy and governance sectors. In deciding upon whether to move forward with a legislative assistance project with the National Assembly, the findings of the DG assessment will be important in determining whether a strategy that has as one of its objectives or underlying goals, the strengthening of the National Assembly, will address the key issues and problems that impede the democratic transition in Bulgaria.

Once a decision is made to provide assistance for strengthening the role and functions of the National Assembly, it is important to recognize the main principles by which USAID measures democratic governance. These principles are considered to be essential elements of any democratically functioning legislative or governing institution and it is the presence or absence of these elements which provides a strong indicator of the status of democracy in a particular country. These democratic principles include transparency, pluralism, citizen involvement in decision-making, representation, accountability, and effectiveness.<sup>2</sup> Consequently, the overall goal or objective of any legislative strengthening program should be to assist the legislature to become more transparent in its proceedings, more pluralistic in its configuration, more open to citizen participation, more accountable for its actions, more effective in its capacity, and a better representative of the public interest.

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<sup>1</sup> For the record, this assessment took place right at the end of the 38<sup>th</sup> term of the National Assembly and in fact the final session of the 38<sup>th</sup> National Assembly took place on April 19, 2001. Consequently, some of the MPs interviewed for this assessment were MPs at the time of the interview, and others interviewed on and after April 19 were “former” MPs.

<sup>2</sup> See *Democracy and Governance: A Conceptual Framework*, Technical Publication Series (Washington, DC: USAID/Center for Democracy and Governance, November 1998).

The methodology for this legislative strengthening assessment of the Bulgarian National Assembly is based upon the assessment framework set forth in the USAID Handbook on Legislative Strengthening.<sup>3</sup> This framework provides a method for identifying the problems and difficulties that a new, reforming, transition or modernizing legislature faces and serves as the basis for designing activities that will address those problems and difficulties. It is important to note that this assessment is meant to be a general overview of the current condition of the National Assembly and to provide broad guidance to USAID/Sofia as to those areas in which USAID assistance could have the greatest impact on strengthening the National Assembly's performance of its democratic and governance functions. This assessment is not designed to be an in-depth evaluation and detailed report on all the operations and functions of the National Assembly nor an attempt to compile a complete list of needs and priorities of the National Assembly and possible assistance activities to address them. This type of document is better suited to the National Assembly's own long-term strategic growth and development plan and to the work plan that will need to be prepared by the implementing organization at the beginning a legislative strengthening assistance program.

The legislative strengthening assessment framework works as follows: It begins with an assessment of the overall political context within a particular country by focusing on the legislature's formal powers and relationships to other political institution. Issues such as the constitutional powers of the legislature, the type of political and electoral system, the political party situation, and the nature of executive-legislative relations are all important considerations when assessing the prospects for designing a legislative strengthening assistance program. Next, the legislative strengthening assessment framework focuses on assessing needs and priorities of the legislature in five programming areas that broadly correspond with either the conditions and environment for legislative strengthening assistance in a particular legislative institution or the functions and operations of a legislative institution in a democratic system. These areas are 1) political will of key stakeholders, 2) representation, 3) lawmaking, 4) oversight, and 5) management and infrastructure. This assessment report sets forth findings with respect to the National Assembly's situation or performance in each of these areas followed by recommended strategies and activities for addressing the National Assembly's weaknesses or shortcomings in these areas. These strategies and activities are designed to address issues and problems identified in the assessment as hindering or impeding the democratic effectiveness and functioning of the legislative institution. The assessment report concludes with a section containing general recommendations on assistance strategies.

As a preliminary note, because this assessment is based primarily on English language research materials and on a limited number of interviews conducted over the course of approximately two weeks, it may contain factual details that are not complete or may not accurately portray the real situation. This is important when basing generalized assumptions on the experiences, perceptions, or comments of a small cross-section of MPs, staff and outside observers, and then attempting to extrapolate that

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<sup>3</sup> *USAID Handbook on Legislative Strengthening*, Technical Publication Series (Washington, DC: USAID/Center for Democracy and Governance, February 2000).

information across the entire legislative system. However, since the purpose of this assessment is to get a broad understanding of the problems and difficulties inherent in the current legislative process in Bulgaria, so as to recommend general strategies and approaches to addressing and resolving those issues, getting the general picture right is more important than ensuring the accuracy of every single detail. The author is confident that the size of the pool of people interviewed, the amount of resource material consulted, and the consistent pattern of much of the information gathered, allow for the formulation of general assumptions and conclusions that are sound. However, any inaccuracies in detail are the responsibility of the author.



## **Section 1. Background**

Bulgaria's political transition from communism to a parliamentary republic began in late 1989 with the fall of the communist government of Todor Zhivkov. Multi-party democratic elections for a new Grand National Assembly were held in June 1990, with the former communist party – renamed the Bulgarian Socialist Party (BSP) – winning a majority of the seats in that election. The BSP formed the new government and named a Prime Minister. Later that year, a candidate from the main opposition alliance, the Union of Democratic Forces (UDF) was elected President of the country. The Grand National Assembly adopted a new constitution on July 12, 1991. New parliamentary elections were held in October of 1991 with the UDF winning a majority of the votes and forming the government.

The UDF parliamentary majority proved short-lived when, in 1992, one of its coalition partners, the Movement for Rights and Freedom (MRF), shifted support from the UDF government to the BSP resulting in the resignation of the UDF government and the formation of a new government under the leadership of a nonpartisan compromise candidate Lyuben Berov. The Berov government was in power for less than two years when it also fell resulting in the scheduling of parliamentary elections in December of 1994. In these elections, the BSP won a majority of the parliamentary seats and formed a new government under the leadership of Zhan Videnov as Prime Minister.

This period of constant and rapid political turnover slowed the democratic consolidation of Bulgaria's legal and political systems and institutions and impeded the progress of economic reforms. By 1996, negative economic growth, high inflation and unemployment, low foreign investment, falling wages, and corrupt privatization practices created yet another political crisis. Mass demonstrations in late 1996 and early 1997, and the election of UDF candidate Petar Stoyanov as President of Bulgaria in 1996, lead to the fall of the BSP government. In parliamentary elections held in April 1997, the UDF won an absolute majority of seats in the 38<sup>th</sup> National Assembly and formed the current government under Prime Minister Ivan Kostov. The four-year term of the 38<sup>th</sup> National Assembly expired on April 19, 2001. Parliamentary elections for the 39<sup>th</sup> National Assembly are set for June 17, 2001.

## **Section 2. Prior Donor Assistance to the National Assembly**

United States assistance to the Bulgarian Parliament began in 1991 with the creation of the Special Task Force on the Development of Parliamentary Institutions in Eastern Europe by the U.S. House of Representatives. Named after the chairman of the commission, the Frost Task Force initiated parliamentary assistance activities in nine countries in Eastern Europe.<sup>4</sup> In Bulgaria, the principal elements of the program focused on the provision of equipment, member and staff training, and assistance on library and research services. The Bulgarian National Assembly was provided with 150 PCs, 47 printers, 2 database servers, software, network servers, and a small number of fax machines, scanners, and copiers. This equipment was the beginning of the development of a computer network within the National Assembly, linking computers users in the plenary hall, commission rooms, and offices located in two separate buildings. Extensive training was provided to the information technology staff of the National Assembly.

The Frost Task Force assistance program included a training component for new members and staff of the National Assembly. A New Member Conference was held over two days in December of 1991 and was attended by over 160 people. The conference included a number of different topics including:

- Responsibilities of a Member of a Legislative Body
- Economic Policy in a Market Economy
- Developing the Market System
- Social Safety Net Issues
- Parliamentary Oversight of Domestic and International Security
- Human Rights
- Developing Civilian Control over the Military

The Frost Task Force also created a Parliamentary Institute in Washington, D.C. which held two-week training programs for parliamentary staff from the Eastern European parliaments participating in the Frost Task Force Program. The Parliamentary Institute program included seminars and workshops on the work of the U.S. Congress conducted by Congressional staff and staff from the Library of Congress (LOC) and the Congressional Research Service (CRS). The program included mentoring with CRS and congressional staff. Forty staff members of the National Assembly participated in the two-week program. Technical assistance by a team of specialists from CRS was provided for the design and planning of a parliamentary research department within the National Assembly. Further assistance was provided to the National Assembly library and included technical assistance in the development of information databases, computer equipment, software programs for electronic library cataloging, books and reference materials, and training of library staff at the CRS and LOC in Washington, D.C. In addition, National Assembly library staff attended several regional conferences held in Eastern Europe for parliamentary librarians.

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<sup>4</sup> For a complete description and evaluation of this program, see *Evaluation of Parliamentary Assistance in Central and Eastern European (CEE) Countries Under the Democratic Governance and Public Administration Project*, Development Associates, Inc., (Washington, DC: USAID, January 1996).

Between 1998 and 2000, several programs directed at Members and staff of the National Assembly were conducted by the National Democratic Institute (NDI). In 1998 and 1999, NDI conducted a series of activities directed at increasing the capacity of MPs to engage in public outreach and constituency relations activities. These activities included seminars, workshops, and individual consultations on constituent casework, district office management, media relations, NGO outreach, lobbying rules, and parliamentary ethics. NDI followed this program with another program of media training for members of the National Assembly. This program included a media-training seminar for MPs and parliamentary staff, a public speaking workshop, and training on producing a constituent newsletter.

In 1999, USAID provided a direct grant to the National Assembly to create a legislative internship program. Designed with USAID assistance, the program provided for the hiring of a program coordinator, three part-time university professors to act as advisors, and the selection of upper level university students as interns. The interns work in teams to research and prepare in-depth legislative studies on questions or issues requested by members, commissions, parliamentary groups and the Council of Ministers. Since beginning the program in 2000, legislative interns have produced over 25 legislative studies on a variety of subjects.

In June 2000, the National Assembly established a Parliamentary Information Center with the assistance of the USAID-funded Small and Medium Enterprise Policy Reform Project implemented by Management Systems International (MSI). The Center makes available to the public, legislative documents such as draft laws, committee reports, agendas, information about MPs, and transcripts of plenary sessions. The Center also provides a means for the public to submit comments, opinions, and recommendations to specific commissions and it organizes roundtable discussions, public meetings, seminars, and other interactions between commissions, MPs and the public.

There are two small bilateral programs between the National Assembly and the parliaments of France and Belgium. Each of these programs are in the form of legislative exchanges involving short visits by MPs and staff to the French and Belgium parliaments and visits by staff from those parliaments to Sofia where several workshops or seminars on parliamentary practices have been held. This assessment has not found indications of any other significant donor assistance programs currently work with, or having or recently worked with, the National Assembly.

### **Section 3. Summary of Overall Assessment Findings**

The Bulgarian National Assembly has made tremendous strides over the past decade in its evolution as a democratically elected legislative institution. However, it still exhibits a number of weaknesses that stand in the way of its ability to fully contribute to good governance in Bulgaria. The primary grants of power and authority given to the National Assembly under the Bulgarian Constitution are to represent the people, exert legislative authority, and exercise parliamentary control. The primary shortcomings of the National Assembly, in terms of democratic governance, are in its inability to fully perform its representational role, exercise accountability, and promote citizen involvement in the lawmaking process.

Regarding its representational role, Article 1 of the Bulgarian Constitution provides that the power of the state is derived from the people and the people exercise this power through the National Assembly as their primary representative body. However, the National Assembly does not adequately perform its representation functions as evidenced, in part, by low levels of public participation in the lawmaking process and by limited capacity to respond to constituent concerns. As a result, the National Assembly as an institution is weakened by low public support, by the intensity of the political conflict between the main political parties, and by the inability of the political system, as yet, to produce a higher standard of living and personal degree of freedom and security to a large segment of the Bulgarian population. This has led to a fall in public confidence for Bulgaria's governing institutions and resulted in the alienation of large segments of the public from the political process as demonstrated by diminishing voter turnout in elections.

The National Assembly has also experienced difficulties in effectively performing its legislative functions as indicated by the poor quality of laws adopted by the National Assembly. This is caused, in part, by weaknesses in the lawmaking process including the lack of public participation and informed decision-making on the part of the National Assembly. Finally, the National Assembly has not fully engaged in its constitutionally mandated role of exercising parliamentary control and ensuring government accountability and integrity.

## **Section 4. General Guidelines on Overall Assistance Strategies**

Before turning to the legislative strengthening assessment framework and the recommendations generated thereunder for specific legislative strengthening activities, it is important to consider some general guidelines on overall assistance strategies. These guidelines are designed to inform and guide USAID/Bulgaria as to various issues and factors it should consider when designing and implementing a program of legislative assistance to the Bulgarian National Assembly. In no particular order of importance, they are as follows:

1) A USAID assistance program should focus, at least initially, on a limited number of goals and objectives. These goals and objectives should center on broadening citizen participation in the legislative process, promoting accountability over the national budget, and increasing the National Assembly's representational capacities. Because there are no other large-scale donor assistance programs working with the National Assembly, and because there are number of critical needs that could be addressed through donor assistance, it is sometimes tempting for an assistance program to try to address a multiplicity of needs that span a broad cross-section of legislative issues and functions. Among the needs and issues a donor program could potentially address within the National Assembly include working with the various departments to improve legislative services, staff capacity development, legislative drafting training, constituency relations, development of a research department, public civic education on the role of the National Assembly and the legislature process, media training to improve the coverage of the work of the National Assembly, and assistance to the library. However, it is important to the success of an assistance project not to spread assistance resources too thin. Better to do a few things well, then to do many things superficially. Consequently, a limited, more focused assistance program should have three overall goals or objectives which are to: 1) broaden citizen participation in the legislative process by increasing public input and expert advice; 2) increase the National Assembly's representational capacities by strengthening the work of the commissions; and 3) promote accountability over the national budget by building budget and fiscal analysis capacity. Focusing on these three overall goals or objectives will allow USAID to capitalize on its comparative expertise in legislative strengthening and provide more direct and in-depth assistance in these areas.

2) USAID/Bulgaria, in consultation with the National Assembly should design an assistance program with some degree of flexibility in program design and activities. One of the specific recommendations contained in this report is to assist the National Assembly in conducting a long-term strategic planning process is for the National Assembly to determine its own future institutional development needs and priorities. If this process takes place at the beginning of the 39<sup>th</sup> National Assembly, which would correspond with the beginning of a USAID assistance program, the results of the planning process could be an overall long-term development strategy and framework that could be used by USAID and its implementing partner, to jointly determine with the National Assembly, where USAID assistance would have the greatest impact consistent with USAID's comparative expertise and its overall strategic goals for the assistance program.

3) USAID/Bulgaria should insist, as a part of any agreement with the National Assembly governing the implementation of an assistance project, that a broadly representative body of members and/or senior staff act as the coordinating partner to USAID in implementing this assistance program. Technical assistance programs often must overcome the absence of a comprehensive vision among the leaders of the institution, a lack of commitment to institutional development as a priority of elected members, and a lack of continuity in pursuing a long-term development strategy. One method of addressing these problems is by creating and institutionalizing a coordinating body that works with USAID and its implementing partner to design project goals, priorities and activities and to advocate on behalf of the program.<sup>5</sup> This coordinating body might also be the appropriate body within the National Assembly to oversee the development of a long-term strategic development plan for the institution. A body of this type, which included MPs and National Assembly staff, was established to help design and serve as an advisory board for the Legislative Internship Program and thus can serve as a precedent for the creation of a permanent body within the National Assembly.

4) It is important to separate any future political party development assistance activities from the legislative strengthening assistance program. Having different implementing organizations for each program may reduce the chances of inadvertently furthering the divisions between, and polarization of, parliamentary groups within the National Assembly. As noted previously, Bulgarian politics over the past decade has been characterized by intense political conflict among political parties and parliamentary groups usually resulting in a winner-take-all approach by the parliamentary majority. This approach appears to have resulted in widespread public dissatisfaction and disillusionment with the political and legislative process, a lower quality of legislation, a loss of public support for the National Assembly, and ultimately the weakening of the entire democratic governance system. Although political competition among political groups is a normal and essential part of the democratic process, and certainly a primary dynamic of parliamentary and legislative institutions, too much political competition or the wrong type of political competition can result in extreme conflict or confrontation which can have a paralyzing or destabilizing effect on the institution.

The legislative process in Bulgaria might be better served if the efforts of a legislative strengthening assistance program are directed at building and promoting consensus, compromise and confidence building techniques among the different parliamentary groups. It is important that the legislative strengthening program be directed at MPs in the context of their role as a member of the Parliament rather than in the context of their membership in a political party or parliamentary group. In this respect, it might be particularly useful to call upon members of European parliaments with extensive experience in coalition group dynamics to help in consensus and coalition building exercises within the National Assembly. By contrast, political party assistance directed at increasing political plurality may have, as an underlying effect or corollary, the

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<sup>5</sup> See generally, Baaklini and Dawson, "Building Legislative Institutions in Emerging and Newly Democratic Nations," in *Working Papers on Comparative Legislative Studies*, (Research Committee of Legislative Specialists, International Political Science Association, January 1994), pg. 351.

perpetuating of conflict and confrontation among parliamentary groups. Consequently, the legislative assistance project should be designed in such a way as to promote the building of consensus and compromise between the parliamentary groups within the context of the legislative process. Assistance activities should be inclusive of all parliamentary groups and should avoid being organized along membership lines in parliamentary groups.

5) An axiom of successful donor assistance programs is to use local or regional expertise whenever possible when implementing program activities. However, in some countries this is a difficult task because the knowledge, skills, and experiences that are being transferred do not exist in that country or region. Bulgaria does not appear to have that problem. There appears to exist a pool of former MPs and other types of experts such as academics, economists, budget and finance people, banking experts, etc. who can be called upon to provide the technical skills and expertise needed to conduct training programs and technical assistance activities. In addition, with the primary foreign policy issue in Bulgaria being European integration, it would make sense to utilize European parliamentarians and parliamentary staff from parliaments in the region, for technical assistance purposes. Bulgaria is likely to shape its future parliamentary development and evolution to accord with European parliamentary models and practices.

6) To a large degree, the recommendations contained in this assessment report are predicated on a scenario in which no political party receives an absolute majority in the next parliamentary elections, thus requiring some sort of coalition among different parliamentary groups within the National Assembly. Under this scenario, the need for different political groups to work together to develop policy and implement legislation should create greater opportunities for public input and expert analysis in the legislative process. If, however, the next parliamentary elections result in a political makeup within the National Assembly similar to past arrangements, with one political party dominating the executive and legislative branches, then the opportunity for genuine change and reform in the legislative process, could be limited. In such a situation, USAID may need to lower its expectations with respect to the types of changes and reform it may be able to facilitate within the National Assembly. USAID should consider sequencing and prioritizing its assistance activities with the National Assembly by concentrating initially on those activities designed to increase public participation in the legislative process through organized public hearings, strengthen the work of the Parliamentary Information Center, increase the ability of the National Assembly to disseminate information to and receive input from the public, and facilitate access to policy expertise. By supporting these types of activities, USAID can help to facilitate external pressure for changes and reform in the legislative process should the results of the next parliamentary election not provide a more pluralistic political arrangement within the National Assembly.

## **Section 5. Assessment**

### **Section 5.1 Political Context of the National Assembly**

The decision on whether and how to provide legislative strengthening assistance to a particular legislative institution depends greatly on the context and environment in which the institution is situated. The nature of the political system, the relationship between political institutions, constitutional powers, regime type, electoral system, political party structures, and executive-legislative relations all impact upon the ability of a legislature to exercise its representational, law-making and oversight responsibilities. These factors also have important implications for the way in which assistance strategies should be formulated. This assessment begins by looking at the National Assembly's formal powers and relationships to other political institutions.

#### ***Summary of Findings***

There are no constitutional barriers preventing the National Assembly from fully exercising its representational, law-making and oversight responsibilities. In addition, the recent completion of the 38<sup>th</sup> National Assembly's full four-year term indicates a growing stability and maturing of the democratic political process. However, the proportional representation, closed party list electoral system, along with the dominating and polarizing influence of political parties, tends to weaken the links between MPs and their constituents and limits the access and ability of civil society, business, and other outside groups and individuals to play a positive role in the policy-making and legislative process.

#### ***Findings***

Article One of the Bulgarian Constitution provides that Bulgaria is a republic with a parliamentary form of government. There is a President directly elected by the voters who acts as the head of state. The National Assembly consists of 240 members and is vested with the legislative authority and the right to exercise parliamentary control. A Prime Minister to head the government is appointed by the President upon nomination by the parliamentary group holding the highest number of seats in the National Assembly. The National Assembly must elect the Prime Minister and may dismiss him or her. The Prime Minister proposes a Council of Ministers that must be approved by the National Assembly. A member of the Council of Ministers may not simultaneously serve as a member of the National Assembly. Among the many powers of the National Assembly are to pass, amend, and repeal laws; approve the national budget; establish taxes; schedule elections for the President; elect and dismiss the Prime Minister, the Council of Ministers, and the Governor of the Bulgarian National Bank; and ratify all international instruments.

Under the Constitution, therefore, the National Assembly has an extremely important role in the governing process, a fact that was repeatedly echoed by many MPs who regard the National Assembly as the supreme governing body in Bulgaria. As an



example of this supreme role, the Prime Minister needs the support of a parliamentary majority to change any ministers in the cabinet, and there are few limitations on the right of the parliament to call for a vote of no confidence. Thus, there appears to be no obvious constitutional impediments preventing the National Assembly from fully exercising its representational, law-making and oversight responsibilities.

The system of parliamentary election in Bulgaria is by proportional representation on the basis of closed party lists of candidates in 31 constituencies. The threshold for party participation in the National Assembly is 4 percent of the vote in parliamentary elections. In the parliamentary elections held in 1997, the UDF won 137 of the 240 seats in the 38<sup>th</sup> National Assembly. The BSP was the second largest parliamentary group in the 38<sup>th</sup> National Assembly with 58 members. The other political parties originally represented by parliamentary groups in the National Assembly were the Movement for Rights and Freedom (MRF), the Euroleft Party, and the Business Bloc. There were also eleven independent members of the National Assembly. Significantly, the 38<sup>th</sup> National Assembly is the first Parliament since the political transition in 1991 to have finished its constitutional term of four years, reflecting a certain stability in the political process that was not present in the first years of the new political system when there were three changes of government in six years.

Despite this political stability, the 38<sup>th</sup> National Assembly was characterized by extreme polarization between the majority party and the opposition groups. As the party of government, and the majority party in the National Assembly, the UDF effectively controlled the policy-making and legislative agenda. UDF was able to push through an ambitious package of legislation, with a heavy emphasis on economic reform. Over 630 laws were enacted in a four-year period. However, opposition groups were almost universally critical in the approach taken by UDF of not permitting opposition laws or amendments to be considered, rushing draft laws through the National Assembly, and not permitting substantive scrutiny or policy input from opposition members, experts, and outside organizations. They claim that expert input was primarily from the UDF parliamentary group or from outside organizations, experts and individuals close to UDF, thus making the information, research, and analysis inputs in the legislative process decidedly bias and politicized.

Because of the UDF's majority control of the government and parliament, few incentives existed for the National Assembly to conduct extensive oversight of the government's implementation of laws or of the national budget. Thus, policy-making was based on unilateral action rather than consensus building and the legislative process was characterized by conflict rather than compromise. As a result, mistakes were made in some laws that had to be subsequently revised and amended and the overall quality of the laws enacted by the National Assembly were perceived by many, including some in the UDF, to be rather low.

It appears that members in all political parties realize that the intense political competition and rivalry between the two dominant political parties, the "winner-take-all" approach to the political and policy-making process, has not served the country well as

indicated by the low standing of the National Assembly in public surveys and opinion polls. Whether this attitude and approach to the legislative process continues in the next parliament, will be determined by the outcome of the parliamentary elections in June. Some observers believe that no political party will achieve a dominant majority in the next parliament and that some type of governing coalition will be necessary. These observers believe that because the government will consist of more than one political party, that power sharing will require more consensus and compromise in the policy-making and legislative arenas. As a result, the locus of much of the decision-making process will be the National Assembly where political agreements on draft legislation will have to be hammered out in an atmosphere of consensus and compromise should the ruling coalition expect to stay in power. Under this scenario, the 39<sup>th</sup> National Assembly would play a much greater role in the policy-making and legislative process than in the 38<sup>th</sup> National Assembly.

It is too early to tell whether this scenario will play out for real. If it does, there may be significant opportunities for assistance programs to have a real impact on strengthening democratic practices and procedures in the legislative process and on increasing the effectiveness and capacity of the National Assembly to be a representative, accountable, and responsive institution. If a situation develops in the 39<sup>th</sup> National Assembly that does not radically differ from, or alter the political environments of past parliaments, there are still opportunities to strengthen the parliamentary system in Bulgaria through strategies designed primarily at increasing the capacity of groups outside the parliament to access, engage in, and advocate for reform of, the legislative process.

In conclusion, it would appear that in the political context, the National Assembly, by virtue of its constitutional mandate, plays an important role in Bulgaria politics vis-à-vis the president and the government, neither of which has a predominant role under the constitution. However, intense political competition between the two major political parties have resulted in the National Assembly's low public standing, a diminished quality of legislation, and poorly functioning methods of parliamentary control over the government. All these factors argue in favor of the need for focusing democracy and governance assistance resources on strengthening the role and functions of the National Assembly.

## **Section 5.2 Political Will of Key Stakeholders**

The willingness and support of key decision-makers within the National Assembly to engage in institutional reform and strengthening is a critical component for the success and effectiveness of a future parliamentary assistance program. In assessing political will for institutional change, relevant questions include: Is there support within the institution for institutional change? Have there been prior attempts to enact institutional change? Is there support outside the legislature for strengthening the institution?

### ***Summary of Findings***

There appears to be genuine recognition among many people both within and outside the National Assembly of the need for some reforms and changes in the legislative process and in how the National Assembly currently operates and performs its functions. Some of these reforms are institutional in nature and would need to address entrenched power structures in the political system. Other reforms, however, would not threaten these existing political power structures and could probably garner support from a broad cross-section of the legislative community. Consequently, there is political will for legislative strengthening assistance targeted at specific changes and reforms in the legislative process.

### ***Findings***

Nearly all members of the National Assembly interviewed by the assessment team expressed the need for changes or improvements in certain legislative processes, practices, and procedures within the National Assembly. The current Speaker of the National Assembly and the Secretary-General both discussed the importance of revising the Standing Rules of the National Assembly to help increase the efficiency and transparency of the legislative process and requested the assistance of USAID in providing comparative legislative experts to advise the National Assembly on this process. The Secretary General also expressed support for a long term strategic development process and plan for the National Assembly.

Although the National Assembly performs all of the roles and responsibilities of any other mature, stable and democratic legislative institution, and the administration of the National Assembly provides most of the services provided by other legislative administrative bodies, there is a general recognition that the National Assembly could perform some of its functions and services in a more effective, transparent, accountable, and responsive manner. The National Assembly has demonstrated interest in its own institutional growth by virtue of programs such as the legislative internship program, the Parliamentary Information Center, and by passage of the Civil Service Law which should, in the long-term, provide a more stable, permanent and professional staff within the National Assembly.

There is also a demonstrated amount of good will towards USAID from both the leadership, members and staff of the National Assembly. The two current USAID-funded projects, the legislative internship program and the support to the Parliamentary Information Center, are considered very successful by the National Assembly and USAID was publicly commended in the Speaker's final address at the last session of the 38<sup>th</sup> National Assembly. Some long-serving members and staff of the National Assembly also spoke highly of the benefits of the Frost Task Force assistance program in the early 1990s. Contrasted with the surprising lack of interest and activity by the European Union in assisting the National Assembly, and the limited nature of the bilateral programs with the Parliaments of France and Belgium, it is apparent that USAID-Sofia has developed not only a good working relationship with the National Assembly, but a solid basis exists for a greater partnership with the National Assembly through an increased program of assistance.

In addition to support within the National Assembly, virtually all members of civil society and NGOs interviewed for this assessment supported the idea of reforms and changes in the way the National Assembly conducts its business. These groups spoke of the urgent need for creating greater access for public participation in the policymaking and legislative process. There were varying opinions among individuals as to how successful outside assistance could be in effecting some of these changes, however, no individual advised against targeting the National Assembly for legislative strengthening assistance. It should be noted that some individuals were positive about the potential impact of a USAID-assistance program.

Consequently, there is currently both internal political will for institutional reform and strengthening, and support from outside groups; however, the possibility exists that with new parliamentary elections in June 2001, and a possible change in leadership and/or majority party, there could be a new and unknown environment for a legislative strengthening assistance program in the near future.

### ***Summary of Recommendations***

- Engage in consultations with, receive ideas and comments from, and enlist the support of, leadership, senior staff, and/or prominent members of political groups within the National Assembly on the Statement of Work for a legislative strengthening assistance program.

### ***Recommendations***

1. An axiom of successful donor assistance is to form a partnership with the recipient institution in the development and implementation of the assistance program. In this regard, the draft Statement of Work should be shared with key former members of the National Assembly and senior staff in order to get some input, support and consensus on program objectives, design, approach, and activities. This is an important part of the effort to create an atmosphere of partnership with the National Assembly in the implementation of an assistance program. Getting the National Assembly not only to

“buy into” the project, but to assume ownership over the project, including allocating time, staff and resources to program activities, and committing to sustaining assistance efforts and results after the end of the program, may be the true measure of success of an assistance project.

In addition, USAID should avoid the perception or criticism sometimes leveled against international donors that the donor community is determining or dictating the development policy or agenda of a particular institution or sector of society. Whether this is a valid criticism in the Bulgarian context is unknown; however, the point is raised here since it was expressed during the course of an interview with an individual from outside the National Assembly.

The difficulty in developing a partnership with the National Assembly at this time is that there currently is not an organized, representative coordinating body within the National Assembly for USAID to partner with so that getting input, consensus and approval on specific program activities may be difficult. This is complicated by the fact that the parliamentary elections may result in changes in the political and administrative leadership of the National Assembly as well as a significant turnover in membership. A different approach, although also problematic, is to share the statement of work with key members of the different political parties or parliamentary groups likely to have significant representation in the next parliament. Although these political party leaders are unlikely to have much time to review and discuss the statement of work or program objectives and design in much detail, perhaps a one or two page summary of the statement of work featuring brief descriptions of the program objectives, methodology, and proposed activities along with a short questionnaire or comment section could be used in an effort to solicit comments, views, and feedback.

## Section 5.3 Representation

Representation in the context of legislative institutions involves legislators listening to, communicating with, and representing the needs of citizens in the lawmaking process. If citizens do not know about or have access to the legislature, or if the legislature is unresponsive to the citizens, the effectiveness and legitimacy of the institution is diminished. Broad questions to be asked, in assessing the quality of the representational functions of a legislature include: Does the legislature promote a two-way flow of information? How open, transparent, and accountable is the legislature to the public and the media? Do committees hold public hearings? Are political parties open to public input? Do organized interest groups effectively interact with the legislature? Do MPs take an active interest in constituency relations?

### *Summary of Findings*

The National Assembly is relatively open in its parliamentary practices and is reasonably transparent to outside scrutiny. However, interactions between the National Assembly and members of the public often do not involve substantive or meaningful public participation in the law-making process nor do they lead to satisfactory results in the area of constituency relations. In addition, the nature of the electoral system may reduce the incentive and motivation of many MPs to engage in extensive or effective constituency relation activities.

### *Findings*

In order to more fully and effectively perform its representational functions, the National Assembly should help foster the development of and become well integrated into a “legislative community.” A legislative community consists of organizations and individuals in civil society and the public and private sectors who take an interest in the legislature, monitor its activities, seek to influence it, and provide services to it. The larger the legislative community, the stronger the legislature, for the community elevates the stature of the legislature while providing information and other resources to it, typically in exchange for influence over public policies. A legislature needs to develop its constituency and support base by reaching out to it and demonstrating that it is accessible, responsive, and capable.

The National Assembly’s efforts to develop this support base are mixed. Most plenary and committee meetings of the National Assembly are open to the public and the media. There are television and radio broadcasts of some sessions, including the weekly question and answer period of cabinet ministers. The public and the media have access to verbatim transcripts of plenary sessions, draft laws, committee reports, and by-name voting results. With the establishment of the Parliamentary Information Center within the National Assembly’s offices, public access to this type of information is more efficient and available. The National Assembly’s Information and Public Relations Department operates a press gallery, distributes bulletins and press releases, organizes

interviews with MPs for the media, and publishes books, documents, and reference materials about the NA.

The relative transparency of National Assembly proceedings does not necessarily mean that the National Assembly is fully responsive to the legislative community. Members of the National Assembly and individuals and groups outside the National Assembly agree that there is not enough public participation in the legislative process nor is there sufficient information given to, or substantive comments or inputs from, outside groups on draft laws being considered by the National Assembly. Advocacy and lobbying activity from groups outside the National Assembly is increasing but still relatively minimal. Among the reasons cited for this situation include the rapid progress of certain drafts laws through the legislative process which does not allow sufficient preparation time for in-depth studies or analysis from academics, individuals and organized groups; the lack of opportunities for public participation or comment including organized public hearings or roundtable dialogues; and the superficial nature of most media coverage of National Assembly activities which does not provide in-depth analysis of policy issues or the potential effects of draft legislation.

Without meaningful access to, and participation in, the legislative process, the general public, citizen groups, businesses, labor and other organized interests have become frustrated with, and less supportive of, the National Assembly as a whole, and of the laws being enacted thereby. This accounts, in part, for the relatively low public standing of the National Assembly, a lack of respect for the work of the National Assembly, the low quality of the laws being adopted, and the alienation of the people from the democratic political process.

Recent efforts to address this situation have come from two USAID-funded projects working in the areas of small and medium enterprise growth and in biodiversity, conservation, and economic growth. The small and medium enterprise growth project being implemented by Management Systems International (MSI), has been working to improve the advocacy and lobbying skills of business groups and to help organize and facilitate roundtable dialogues and public hearings with parliamentarians and government officials. These efforts were focused on helping the government formulate a national strategy or policy for the development of small and medium enterprises through a public participatory planning process. Regional public meetings were held on the subject led by the Chairman of the National Assembly Economic Commission and attended by business groups, MPs, government officials, think tanks, the media, and others. Following the development of a national strategy plan and the drafting of a proposed small and medium enterprise act, the Economic Commission held meetings on the draft law to solicit input and feedback from private sector representatives, business groups, local government officials, and others.

The biodiversity, conservation and economic growth project, through Associates in Rural Development (ARD), undertook similar activities to bring together environmental groups, business interests, and others with the National Assembly Environment Committee to discuss legislation designed to create protected lands. The

ARD project helped facilitate public meetings on the issue and assisted environmental groups in organizing a lobbying and public relations campaign targeting members of the National Assembly. In turn, the Environment Committee held hearings to solicit public comments on the draft Law on Protected Areas. The Chairman of the committee reported that he received over 200 comments and proposed amendments to this draft law from outside the National Assembly.

Despite these efforts, it appears that the conduct and incidences of public hearings, public input, and other forms of public participation in the legislative process, varies greatly from commission to commission in the National Assembly. Although most commission meetings are open, and many commissions will invite experts into commission meetings to discuss draft laws, there is no systematic, regular or organized practice of formal public hearings. The practice of inviting outside experts into commission meetings to consult with or to discuss specific draft laws or issues is often based on friendships, acquaintances, or political leanings and does not appear to reflect an attempt to get the views of a broad cross-section of Bulgarian society or to necessarily include independent, non-partisan, or in-depth analytical or academic analysis.

The Parliamentary Information Center has recently moved to address the deficiency in public participation in the legislative process by conducting several roundtable forums involving members and staff of the National Assembly and representatives of NGOs, business groups, and the public to discuss mechanisms for increasing the amount of public input, discussion, and comment that the National Assembly receives and how these forms of public participation can best be incorporated into the legislative process. It remains to be seen what will become of this initiative but it could be the basis for developing support both within and outside the National Assembly for institutionalizing a formal public hearing process.

Turning to another form of representation, the relationship between many members of the National Assembly and their constituents also appears to be underdeveloped. While some members have offices in their districts, meet with constituents on a regular basis, and are generally responsive to the needs of their constituents, there appears to be a general lack of consensus or understanding between many members and their constituents on the representation role of an MP. Several members expressed frustration over what they perceive as the unrealistic expectations and lack of understanding on the part of constituents as to the role of the member or what the member can realistically do to solve their individual problems. According to these MPs, many people come to their offices to look for help in getting jobs, housing, or other personal benefits that the member cannot resolve. One member commented that he had hired a lawyer to sit in the member's district office since so many people were coming to his district office with legal issues or complaints.

The National Assembly does not provide district offices or staff for the members although members receive a stipend as part of their salary to pay for these types of expenses. Most members receive assistance from their political party in terms of providing an office, staff support, organizing public meetings, and help with other



constituency related activities. Most MPs place a high priority on their relationship with party leaders since they are reliant on those leaders for political support and resources. An MP is often more loyal and attentive to his or her political party affiliation, which has a strong impact on his or her chances of being re-elected, then to the individual needs of the people of the district in which the MP serves. In a closed list proportional representative system, elections are decided not on the basis of an MP's responsiveness to a particular geographic constituency, but rather on the voters' choices among a variety of parties with defined political profiles and agendas. As a result, the extent to which some members engage in constituency related activities is, in part, related to the emphasis placed on constituent relations by a member's political party. From conversations conducted during this assessment, it would appear that the political parties, with certain exceptions, do not place an extremely high priority on traditional constituency services.

Some members attributed the low public standing of the National Assembly to the superficial coverage of its work by the media. This criticism is related to the complaint that the general public is not sufficiently aware of or educated about the issues being considered by the National Assembly, or of the role MPs in a parliamentary system, or of the contentious nature of politics in a pluralistic democracy.

### ***Summary of Recommendations***

- Support the continued development and expansion of the Parliamentary Information Center.
- Increase public participation in the legislative process by strengthening the ability of commissions to receive and process public input and comments through organized formal public hearings.
- To the extent possible, assistance to strengthen the Commissions should be centered around specific draft laws or policy issues that coincide with other USAID/Sofia strategic objectives in order to provide linkages and synergy with other USAID-funded projects in Bulgaria.
- Support the further development of information technologies and web design to facilitate communication within and outside the National Assembly and to increase the National Assembly's ability to disseminate and receive information via the Internet or through the Parliamentary Information Center.
- Assistance to MPs on improving constituent relations and linkages is better delivered in the context of a political party assistance program, which should be separate from the legislative assistance program.

### ***Recommendations***

1. If the National Assembly is to grow as a transparent, accountable, and responsive institution, it must provide more systematic opportunities for public participation and input into the legislative process. The opening of the Parliamentary Information Center has provided the public with greater access to information and legislative documents. However, the Parliamentary Information Center has only one location in the National Assembly office building and its capacity to provide full and complete public access to

legislative documents is limited by technology and resources. Strong consideration should be given to implementing the National Assembly's desire to open regional Parliamentary Information Centers in other cities so as to facilitate public access to the legislative process in other parts of Bulgaria. If it does not already do so, this information should include bill status, commission agendas, legislative calendar, and easy to understand descriptions of the legislative process with directions on points in the process where the public may participate and comment. The description and diagram prepared by Ms. Eugenia Popova, the Coordinator of the Parliamentary Internship Program, would be an excellent starting point for this document.

2. Assistance efforts to open the legislative process to increased public participation and input should center on strengthening the work of the commissions of the National Assembly. As a primary goal, legislative strengthening assistance should focus on the planning and organization of public hearings that provide real opportunities for the public to testify or comment upon public policy issues, draft legislation, government actions, or the administration and implementation of laws. A formal legislative public hearing is a very organized and structured process requiring a great deal of time and staff resources to properly prepare. Tasks that should be accomplished include a work plan, selection of topics, notice and publicity, agenda setting, gathering information and preparing policy briefs for commission members, organizing testimony and preparing witnesses, as well as other activities.

Consequently, assistance for developing and institutionalizing formal public hearing practices and procedures must be well organized and should, at least at the beginning, target three to five commissions in the National Assembly. These commissions should demonstrate a desire and commitment to organize and engage in formal public hearings and should, if possible, address a topic or policy issue that may coincide with another USAID strategic objective. (It is necessary to note, however, that selection of the topic or issue for a public hearing must always be the decision of the commission).

3. A public hearing program could greatly benefit from the experience, knowledge and access to policy expertise of other USAID projects that have helped organize previous public hearings with committees of the National Assembly. In addition, certain synergies created by this type of cross-sectoral approach, i.e., linking a capacity development exercise with a substantive public policy issue such as economic growth, environment, local government, justice reform, etc., could be extremely effective. Care and effort must be taken to enlist the support and commitment of commission chairs and members to engage in a formal public hearing by demonstrating the benefits of a formal public hearing process. There may be resistance by some members and staff to an activity that introduces a new, time-consuming, labor-intensive process. Changing old practices for new models is never easy, especially when the new models may be seen as an "American" model or as a donor driven activity. Using European parliamentary examples and experience may overcome some of these initial hesitations or misgivings.

5. There is much room for improvement in the extent and quality of MPs responsiveness to their constituents. However, structural and institutional impediments such as the lack of institutional support for constituent relations activities, the substantial role of political parties, and the proportional representation electoral system, could render as ineffective, efforts to improve the capacity of MPs to interact with their constituents through the mechanism of a legislative strengthening assistance project focusing on the National Assembly. Assistance to MPs to improve their capacity to address constituent concerns would be more effective and better delivered through a separate assistance program directed at the political parties.

## **Section 5.4 Lawmaking**

Effective lawmaking requires that the National Assembly possess, collectively as an institution, certain specialized skills and capacities. These include the capacity to collect, process, and analyze useful information and documentation about a particular subject; to blend technical and legal competence with political knowledge to create well written laws that reflect the intent of the members; and to make difficult political choices including the ability to simultaneously deal with competing and diverse priorities, to engage in political negotiation, and to compromise to reach majority approval of legislative packages. Questions to be asked in assessing legislative performance in this area include: What is the balance in drafting and initiating legislation between the legislature and the government? How independent is the legislature in the lawmaking process? Does the legislature have its own sources of information and expertise about a particular law or issue?

### ***Summary of Findings***

The National Assembly's performance in the lawmaking process has come under widespread criticism, both within and outside the institution. One of the most serious problems has been the poor quality of some of the laws enacted by the National Assembly. Reasons for this poor quality include the lack of good expert advice and analysis on draft laws, the rapid review process, the extreme politicization of the legislative process, the lack of a constructive role for the opposition, and problems in the rules and procedures of the legislative process.

### ***Findings***

The lawmaking process is an area in which most MPs and many outside observers say that the National Assembly's performance is marked by real deficiencies. These deficiencies have lead, they believe, to the adoption of poor quality laws which included technical errors or mistakes, important omissions, or provisions that had unintended or unforeseen consequences. The reasons given for these deficiencies in the lawmaking process are many and varied. Probably the main complaint expressed by nearly all the MPs interviewed on this issue was the lack of access to, or input from, good expert advice and analytical information on draft laws and policy issues. Several members commented that although the 38<sup>th</sup> National Assembly included many doctors, teachers, and engineers, there were very few lawyers. The MPs' general lack of experience and in-depth knowledge of the laws and issues being considered by the National Assembly was repeatedly mentioned by individuals both within and outside the parliament.

Another factor may be that there is no centralized research service within the National Assembly to provide independent and nonpartisan information such as background material, in-depth analysis and comparative practices in other countries. Many members cited this lack of a nonpartisan research department within the National Assembly as one of the primary shortcomings, and greatest needs, of the institution. Members claimed that much of information they received was weak in terms of policy

analysis and impact evaluation, especially with respect to the fiscal and administrative implications of a draft law.

Although the Legislative Internship Program received praise from many members for the quality of the studies it produces, the program does not have enough interns to produce studies on all draft laws nor does it have the range of technical expertise on economic, environmental, and social issues that is critical in reviewing certain types of draft laws.

Some members say that much of the information that is available to members is essentially political in nature and usually came from the government, from parliamentary groups, or from individuals or organizations with decidedly political biases or interests. Without more or better sources of expertise, it is difficult for members to get independent, nonpartisan information upon which to judge the truth or validity of information and arguments being provided by the government or parliamentary groups. As a result, it appears that the lack of independent information, public input, technical expertise, and research capability, limits the depth of the policy debate within the National Assembly and likely contributes to a lower quality of legislation.

Some members attributed the overall poor quality of laws enacted by 38<sup>th</sup> National Assembly to the quantity of draft laws considered and the lack of informed review and debate of the issues raised by the draft laws. In fact, the 38<sup>th</sup> National Assembly enacted 638 laws over the course of its four-year term. However, some members say that the speed with which some of these draft laws were pushed through the process – one example being the introduction and adoption of a new electoral law in the final 48 hours of the 38<sup>th</sup> National Assembly – did not allow for substantive review, analysis, and debate of all draft laws.

Another reason cited for the poor quality of draft laws during the 38<sup>th</sup> National Assembly was the almost total domination of the policy-making and law drafting process by the government and the UDG parliamentary group. The vast majority of draft laws that came before the National Assembly were drafted by the government and introduced by the Council of Ministers. One member estimated this number to be over 90% of the draft laws considered by the National Assembly during the 38<sup>th</sup> Parliament. Consequently, the majority party enjoyed a near monopoly on policy-making and legislative drafting during the 38<sup>th</sup> National Assembly. Opposition members and outside observers claim that the UDF's monopoly on determining what legislation was to be considered by the parliament did not exist by virtue of sheer numbers alone but rather there was a deliberate decision by the majority not to accept opposition proposals and amendments or to incorporate opposition views, suggestions, or alternatives in draft laws. In contrast, members of the majority party accused the opposition of being interested only in political confrontation and obstruction. As a result, the intensity of the political competition between the different parliamentary groups may indeed have contributed to a lower standard or quality of draft laws and public policy.

Developing a constructive role in the legislative process for opposition groups in a parliamentary system is critical, not only for improving the overall quality of the laws but also for increasing the legitimacy of the political system. Draft laws and policies that have been subject to a process of informed debate and discussion and have received a rigorous review that included consideration of alternative views and policy proposals, are likely to have considered and resolved through compromise and agreement, more of the questions, complexities, and ambiguities that characterize many of the policy issues and choices in a contemporary, multi-plural, democratic, free market society. In addition, providing a process in which critical scrutiny of a draft law takes place is more likely to result in the detection of errors or mistakes and the taking of corrective measures before a proposal is enacted into law. The result is not only better laws, but laws that have greater legitimacy because they have been subject to an open, transparent, and inclusive political process.

Several members and staff, including the Speaker of the National Assembly, noted that the Standing Rules of the National Assembly should be revised to help improve the quality and efficiency of the current legislative process and procedures. One example cited was the current practice under Article 69 of the Standing Rules which provides that upon second reading of a draft law in the plenary session, each article is separately reviewed, debated, and voted upon. The Speaker suggested that the lengthy nature of this type of review could be better delegated to the commissions. Other standing rules issues that were raised included the need to reform the weekly question and answer period of government ministers, to revise the voting procedures, and to address the time-consuming repetitiveness and similarity of arguments and debate on a particular issue or topic. There also could be ways, through the Standing Rules, of creating mechanisms that would have the effect of improving the quality of draft laws by reducing conflict and confrontation in the lawmaking process and promoting consultation, cooperation, consensus, and compromise.

Assessing the reasons for the deficiencies in the lawmaking process also requires looking at the legislative services provided by the professional and administrative support staff of the National Assembly. Most commissions in the National Assembly appear to have only two or three permanent staff advisors and their duties and responsibilities appear to vary greatly from commission to commission. Some commission advisors apparently are used in mainly administrative or procedural functions, while others provide advice and expertise on draft laws and issues. One MP said that the two staff members assigned to her commission were university level professionals who participated with members in discussions on draft laws or issues and provided their opinions and expertise but that she does not remember seeing any written policy briefs or analyses of draft laws from them. It could be, however, that the sheer volume of draft laws and issues being considered by the commissions limit the ability of commission advisors to provide much substantive advice or expertise on the content of draft laws.

### ***Summary of Recommendations***

- Strengthen the capacity of commission advisors and other appropriate legislative staff to provide in-depth bill analysis and evaluation of draft laws.
- Continue to support the Legislative Internship Program while jointly devising with the National Assembly, a long-term sustainability plan for the program.
- Provide policy experts and seminars on specific policy issues for MPs on draft laws and issues being considered by the National Assembly and assist the National Assembly in developing a database containing names of these types of experts.
- Refrain for now from providing assistance to create a centralized research service within the National Assembly.
- Provide assistance in the form of comparative specialists on legislative process and procedures, as needed, to help the National Assembly revise its Standing Rules to increase the quality and efficiency of its lawmaking process.
- Assist the National Assembly in conducting a new member orientation program near the beginning of the 39<sup>th</sup> National Assembly.

### ***Recommendations***

1. One of the primary methods of improving the quality and efficiency of the lawmaking process within the National Assembly is by strengthening the role and performance of the commissions. This assessment has already addressed the representational role of commissions in terms of conducting public hearings and increasing opportunities for public participation and input. Those activities also serve to improve the lawmaking functions of the commissions. However, commissions need more than just public input and comment in the lawmaking process. Commissions also need better access to more and varied sources of independent and nonpartisan policy analysis, in-depth research, and analytical information on a wide range of policy issues.

One mechanism for increasing the flow of information to MPs is a bill analysis that explains the purpose, content, and projected impact of a draft law. Preparing these bill analyses is a standard function of commission advisors in many parliaments. However, the skills to write a good bill analysis include the capacity to assimilate and evaluate information concerning a draft law or policy issue, to clearly and concisely explain the contents and issues involved, to articulate the potential effects of the draft law or course of action, to provide comparative examples of other laws or practices, and to develop feasible alternatives to the policies contained in the law. These are specialized skills which can be transferred through a bill analysis training program designed to increase the capacity of existing commission advisors and other appropriate legislative staff to provide bill analysis of draft laws.

It should be noted that in some parliamentary systems, parliamentary groups or party caucuses sometimes take on the role of committees in other legislatures in terms of being the primary forum where policy issues are debated and decisions made about the content of draft laws. Likewise, experts within the parliamentary group often act as the primary source of policy level expertise for MPs rather than committee advisors. In those instances, it would not be an effective use of time and resources to provide assistance to

increase the capacity of committee staff to provide expert advice and policy analysis on draft laws. In the case of the National Assembly, although parliamentary groups play a significant role in the lawmaking process, it appears that many members prefer to have access to independent sources of bill analysis and information located within the commissions.

2. Financial resources should be allocated to the National Assembly to continue the Legislative Internship Program in its present form. The program is considered a success by the National Assembly; most MPs who mentioned the program were positive and several indicated that they had used information from the legislative studies prepared by the interns in floor or commission debates. Discussions should take place with the National Assembly, in the context of extending funding for the current program, regarding the long-term sustainability of the program and of ways of further developing and improving the program and for making it a permanent part of the National Assembly.

3. Assistance should be directed at helping to organize and conduct policy seminars or briefings on specific draft laws or policy issues for MPs and staff of the National Assembly. Local experts can be commissioned to research and prepare nonpartisan studies, policy papers, or other types of documents and to conduct these seminars or briefings. Although this is not a long-term solution to institutionalizing a permanent source of expertise within the National Assembly, it does provide opportunities for members and staff to have increased access to high level policy expertise and it may create new linkages for expertise for the National Assembly. Along these lines, assistance should be provided to the National Assembly to help it develop a database of experts in different functional areas. This database would be used by the National Assembly to identify and solicit appropriate specialists to testify in public hearings, to speak at seminars or workshops, to comment on draft legislation, and to provide policy papers and reports.

4. Another method for ensuring that MPs have access to independent, nonpartisan analysis and expertise on draft laws and policy issues would be the creation and development of a centralized research service within the National Assembly. Most MPs interviewed for this assessment recommended this as a potential high priority for a donor assistance project. However, creating such a department may not be the most effective or sound strategy for increasing the MPs access to expert level analytical research and information.

A centralized research department within the National Assembly did exist for several years during the 37<sup>th</sup> National Assembly but was disbanded by the Secretary General at the beginning of the 38<sup>th</sup> National Assembly.<sup>6</sup> The reasons given for disbanding this department were its small size, limited available resources for the department, a general dissatisfaction with its work, the perception that it was not serving

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<sup>6</sup> For more information on this research department, see Dobrin Kanev, "The New Bulgarian Parliament: The Problem of Research Capabilities," in Longley and Zajc, eds., *The New Democratic Parliaments: The First Years*, (Research Committee of Legislative Specialists, International Political Science Association, January 1998), p. 277.



the needs of the National Assembly, its inability to attract high quality academic researchers, and a certain competition and unhappiness among other departments towards the research department.

Assisting in the development of a new centralized research department, although important for the long-term development of the National Assembly as a strong, effective and independent legislative institution, would likely require a large investment of time, effort and financial resources. Questions about the National Assembly's ability to sustain and absorb the financial responsibilities for this department, including the administrative overhead and high salaries needed to attract qualified experts and researchers, must be considered in light of the experience of the previous research department. Although the Frost Task Force assistance program did not invest directly in the development of that research department, Frost Task Force resources in the form of technical assistance from Congressional Research Service staff did help in the planning and design of the department and the training of research staff. Not desiring to see another similar loss in investment, this assessment recommends that assistance resources not be directed at developing a centralized research service within the National Assembly at this time. Certainly this issue could be revisited at some time in the future should the National Assembly demonstrate a sustainable long-term development plan and commitment for establishing a permanent research department.

5. As noted previously, it is likely that one reason for the poor quality of draft laws relates to the inefficient rules and procedures governing the legislative process within the National Assembly. USAID should be prepared to move quickly to respond to the Speaker and Secretary-General's request for technical assistance to help the National Assembly revise its Standing Rules. An expert on legislative process and procedures such as a current or former speaker, chief clerk or chief parliamentarian of a state or national legislative body, or a senior staff member of a legislative rules committee would be the prime candidate for this type of consultancy. A member or former member of a legislative body, with rare exceptions, would not have the kind of in-depth knowledge of legislative rules and procedures to make an effective consultant in this case. Because the process of revising the Standing Rules will likely take place in the first few weeks or months of the next parliament, USAID needs a rapid and flexible mechanism for accessing a consultant with the above qualifications. The use of the legislative strengthening IQC could be such a mechanism. The current holders of this IQC have access to a large pool of potential candidates that would be ideal for this consultancy.

6. A new members orientation program near the beginning of the 39<sup>th</sup> National Assembly is one method of increasing the legislative skills and policy expertise of MPs. Many of the people interviewed for this assessment remarked upon the inexperience and lack of qualifications of some of the MPs in the 38<sup>th</sup> National Assembly. Although it is difficult to predict what the makeup of the next parliament will be (some members criticized their own political party leaders for the low quality of some of the candidates on party lists in previous parliamentary elections), an orientation program would likely be of great benefit to new members of the National Assembly. This orientation program could be organized as a two or three day professional conference, with perhaps one or

two days solely for MPs and a second or third day that would include participation from NGOs, civil society, business and labor groups, think tanks, government officials, and others. The conference could include a range of workshops and presentations focusing on different topics and subjects including some devoted to legislative subjects and others focusing on specific policy issues and topics likely to arise in the next parliament such as economic development, corruption, social issues, foreign policy, European Integration and NATO membership, among others. The two-day new members' conference organized under the Frost Task Force Program and held in December 1991 might serve as a model for this type of conference. Several long-serving MPs who attended this conference commented on how useful it had been.

The new members orientation program should be jointly organized and conducted in conjunction with the National Assembly, using existing staff and departments as much as possible. This would help to ensure that the process, procedures, and methodology for implementing this type of activity are institutionalized by the National Assembly so that in the future it is capable of organizing and conducting its own new members orientation program. Activities under this program should include preparation of a new member's handbook for MPs and a technical guide to organizing and conducting a new members orientation program. The new members orientation program should also utilize local and regional experts and resources to the extent possible.

## Section 5.5 Oversight

A primary function of legislative oversight is to ensure the accountability and effectiveness of government institutions. Assessing a legislature's performance in this area raises several issues and questions. Does the legislature have sufficient access to information from the government? Are there oversight hearings or other opportunities to question government representatives? What is the legislature's role in reviewing, authorizing, and overseeing the implementation of the national budget?

### *Summary of Findings*

Although the National Assembly has an extensive range of oversight tools and mechanisms available to it under the Standing Rules, the nature of the parliamentary system in Bulgaria results in very little action by the National Assembly in this area. The National Assembly is especially weak in the area of reviewing and monitoring the national budget.

### *Findings*

The nature of a parliamentary system works against a legislature assuming a strong and vigorous role in government oversight. Because the executive function of government is performed by a prime minister and cabinet ministers who are of the same political party as the parliamentary majority, there is little incentive for the majority of members of the parliament to exert oversight of, or be critical towards, government policies and actions. Consequently, oversight responsibilities are normally assumed by opposition groups or parties, and in some cases, by civil society groups and NGOs. Depending upon the relationship and agreements between the majority party and the opposition groups within the parliament, oversight may sometimes include public hearings on government actions, programs, regulations, or implementation of law. It may also involve the auditing of the government budget, performance, expenditures and revenues. Question and answer periods of government ministers are another common parliamentary oversight mechanism. Oversight by civil society groups and NGOs usually consists of monitoring government compliance with the law, reviewing government performance, publicizing government actions or lack of action, and tracking government spending.

As discussed previously, the Bulgarian Constitution mandates that the National Assembly should exercise parliamentary control. The Standing Rules of the National Assembly spell out very detailed procedures and mechanisms for parliamentary oversight including question and answer periods, written inquiries of government ministers, votes of no confidence in the government, and parliamentary investigations and hearings. In practice, the National Assembly engages in few of these oversight activities. The National Assembly's primary oversight activity is the weekly question and answer period during which MPs may address questions to the Council of Ministers and to individual ministers. Formal public oversight hearings do not appear to occur very often if at all.

Several members and outside observers indicate that the National Assembly is especially weak in the area of budget review, analysis and oversight. Currently, review and adoption of the national budget and the budget accounts by the National Assembly is done in a very short time frame, with little discussion or debate and with few changes. The national budget, budget policy and priorities, and spending levels and allocations are determined in the Council of Ministers. In addition, one MP said that there are no mechanisms for follow-up or oversight of budget implementation. It does not appear that the National Assembly has a specialized budget unit or staff that is particularly strong in budgetary and fiscal analysis skills. The same is apparently true regarding the level of expertise of the MPs and the relevant permanent commissions of the National Assembly. What little information or analysis the National Assembly receives comes from either the government or from a few university professors or economic think tanks. Until several years ago, the government did not even distribute copies of the national budget publicly.

### ***Summary of Recommendations***

- Develop the skills and capacity of academic institutions, economic think tanks, and/or issue-oriented NGOs, civil society organizations, and interest groups to engage in budgetary and fiscal analysis, budget policy development, performance based budgeting, issue oriented budget analysis, draft law fiscal impact evaluation, budget projecting and revenue forecasting, budget information services, review of the government accounts, and monitoring and publicizing of budget implementation including revenues, expenditures, and debt.
- Provide budget-related assistance in the form of training, educational seminars, or study missions on budget-related issues, practices, and oversight mechanisms targeting MPs and staff of the relevant legislative commissions that have primary responsibilities for budget and finance issues.

### ***Recommendations***

1. The nature of a parliamentary system does not lend itself to a huge commitment of time, energy, resources, or political capital on oversight practices and mechanisms by the National Assembly as a whole, by individual members, nor by donor assistance programs looking at ways to develop oversight capacities within the National Assembly. For example, the lack of vigorous review and oversight of the national budget by the National Assembly argues against assistance designed to create a permanent budget or fiscal unit within the structure of the National Assembly. Until such time as there is a demonstrated demand for, and commitment on the part of, the National Assembly to conduct a thorough review of the national budget, including debate on budget policy and priorities, adoption of amendments to the budget bill, and monitoring of budget implementation and government spending, it does not make sense for USAID to invest in large-scale internal capacity development within the National Assembly in this area.

Instead, USAID should concentrate its resources on opening up the budget process, especially within the National Assembly, to more public input and oversight by citizens, civil society, issue-oriented NGOs, academic institutions, economic think tanks,

interest groups, local government, and the like. Assistance should be targeted at building up the skills and capacity of these groups to engage in budgetary and fiscal analysis, budget policy development, performance based budgeting, issue oriented budget analysis, fiscal impact evaluations of draft laws, budget projecting and revenue forecasting, budget information services, review of the government accounts, budget related advocacy, and monitoring and publicizing of budget implementation including revenues, expenditures, and debt. The objective of this approach would be to make the overall budget process more transparent, accountable, and responsive to the needs of Bulgarian society.

The Center on Budget and Policy Priorities based in Washington, D.C. has established the International Budget Project which provides technical assistance and expertise to NGOs to develop budget-related policy and advocacy skills. Examples of these types of programs have been collected by the International Budget Project and should be consulted when designing and implementing this program.<sup>7</sup>

2. In conjunction with this effort, assistance in the form of training, educational seminars, or study missions on budget-related issues, practices, and oversight mechanisms should be available to all MPs, but specifically targeted at MPs and staff of the relevant commissions of the National Assembly that have primary responsibilities for budget and finance issues. It is important to ensure that MPs have a basic understanding of their role in the national budget process and that they possess sufficient knowledge of budgetary and fiscal issues to enable them to be effective users of budget-related information and analysis and to make knowledgeable decisions and choices based thereupon.

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<sup>7</sup> *A Taste of Success: Examples of the Budget Work of NGOs*, The International Budget Project, (Washington, DC: Center on Budget and Policy Priorities, October 2000).

## **Section 5.6 Management and Infrastructure**

Legislatures must be able to manage and administer themselves and to provide for their internal operation and functioning. Members must receive sufficient support to allow them to effectively perform their representation, lawmaking and oversight functions. A legislature needs not only adequate space and equipment, but also management capabilities, effective organizational structures, processes and rules. Evaluating a legislature's management and infrastructure requires asking the following types of questions. Do the internal rules of procedure facilitate or hinder the legislative process? Are legislative support services adequate? Does a sufficient infrastructure exist to allow members and staff to effectively and efficiently perform their duties?

### ***Summary of Findings***

Although this assessment did not engage in an in-depth evaluation of management and infrastructure issues within the National Assembly, it appears that the National Assembly's staff services, as well as organizational structures, administrative and management systems, operations, and infrastructure, are well established and engaged in, or in line with, normal legislative practices and functions

### ***Findings***

This assessment did not conduct a thorough and detailed analysis of the management and infrastructure of the National Assembly. It was also beyond the purpose and resources of this assessment to engage in an in-depth evaluation of the work of each department in the National Assembly to determine the exact level of their performance in providing legislative services. If the overall assessment findings had indicated that one of the main obstacles to the National Assembly's democratic functioning and performance was the low level or quality of staff services, more emphasis would have been placed on this issue. However, it appears that as a long standing and mature legislative institution, the National Assembly's staff services, as well as organizational structures, administrative and management systems, operations, and infrastructure, are well established and engaged in, or in line with, normal legislative practices and functions. This does not mean that there is not room to improve the skill level of specific staff members through training programs, study missions, or other means designed to introduce new practices and procedures or to increase the knowledge or skill levels of a staff member in a particular job. Continuing education and training of workers is a routine practice in many professional institutions and organizations. It simply indicates that the level of legislative staff is such that there is probably no need for an assistance strategy that has as one of its primary objectives, a comprehensive legislative staff training program.

Interviews were conducted with the directors of most of the administrative departments of the National Assembly during the course of this assessment. The Administration Services Department provides administrative and logistical support to the other departments, maintains the records and documents of the National Assembly, and

produces a verbatim transcript of plenary sessions almost immediately after the close of a session. The Legal Department and the Department of European Integration have approximately twenty lawyers or advisors in the two departments. According to the director of the Legal Department, much of the work of lawyers in her department involves following the progress of draft laws through the legislative process and preparing the commission reports that extensively detail the recommended revisions, changes, and amendments made by the commission to the draft law. The Department of European Integration ensures the harmonization and compliance of laws adopted by the National Assembly with European laws and standards and provides assistance to the Commission on European Integration.

Because this assessment did not perform an in-depth evaluation of the qualifications and experience of these lawyers and advisors in the Legal Department and the Department of European Integration, it is not clear how much the lawyers and advisors in these two departments actually engage in legislative drafting or what is their level or skills and expertise. As indicated earlier, most estimates are that 90% of the draft laws considered by the 38<sup>th</sup> National Assembly originated within the government, which is not an unusual occurrence in a parliamentary form of government. Although lawyers within the National Assembly may have a greater role in drafting language for amendments, it does not appear, at least at this time, that there is a high demand for greater legislative drafting skills and expertise within the National Assembly. Several MPs did indicate, however, that the Legal Commission was the busiest commission within the National Assembly and that the work of the Legal Commission could be improved through continuing legal education and drafting training for members of the Legal Department.

A well functioning library department is available for MPs and staff and provides access to a wide range of information, data and sources through hardcopy collections and electronic databases. The director of the library department indicates that the library is engaged in a long-term project to preserve the archives of the National Assembly by electronically preserving in digital format, the transcripts, records, files, and documents of the National Assembly. This is a huge volume of material reaching back over 100 years and the director of the library indicates that it is a slow process due to the lack of funding and resources.

The Information Technologies Department appears to have greatly benefited from earlier USAID assistance through the Frost Task Force. Because of Frost Task Force assistance, the National Assembly has an internal electronic network that connects computer users in various National Assembly buildings. The Director of the Information Technologies Department indicated that the National Assembly has over 600 computers and 10 servers but that many of these were older models. The National Assembly has developed a number of databases containing information such as a bill tracking system, existing laws, etc., but these databases are not integrated into the electronic network, so that the sharing of this type of information electronically both within the National Assembly and outside the National Assembly is limited. The Information Technologies Department would like to develop a software program to update its information support

systems, web page and electronic network but is currently prevented from doing so because of a lack of financial resources and some possible political obstacles.

Other departments of the National Assembly included in this assessment were the Department of Information and Public Relations and the International Activity Department.

### ***Summary of Recommendations***

- Assistance should be provided to help the National Assembly engage in a strategic planning process designed to create a long-term institutional development plan.
- Provide technical assistance and equipment, as determined through an in-depth assessment of the National Assembly's information technology capacity, to help improve the flow of electronic information within and outside the National Assembly.

### ***Recommendations***

1. In order to ensure future growth, development and stability as an institution, the National Assembly should engage in a strategic growth planning process that sets institutional development goals and objectives and results in the creation of a long-term institutional development plan for meeting those goals and objectives. Among the issues an evaluation and planning process could address is whether current management systems and operations could be reformed or improved in such a way as to strengthen the overall functioning of the National Assembly as an institution, and to make it more effective, more efficient, more open and transparent, more responsive and accountable, and more appropriate to the work of a parliament in a democratic system.

Although there was a recent administrative reorganization within the National Assembly, it may not be too early to engage in a review and evaluation of the impact of this reorganization. The National Assembly should continue to evaluate and analyze its own performance and determine where weaknesses and deficiencies exist in its internal management, administration, organization and operations. By doing so in the context of a long-term institutional development plan, the determination of priorities for further changes or reforms in these areas comes from the National Assembly.

USAID assistance in this process could be provided in the form of technical advice on strategic planning, legislative management systems, legislative process and procedures, and other associated issues. To ensure the sustainability of these efforts, it is important to develop within the National Assembly, the institutional capacity to assess and prioritize its needs and to develop an overall long-term strategic plan designed to address those needs. A long-term strategic growth plan would also provide a basis upon which the National Assembly could approach other donors and solicit assistance based on the National Assembly's own evaluation, planning, and prioritization of goals.



2. This assessment did not conduct a thorough investigation of the status of the National Assembly's information technology capacity. However, it is apparent from discussions with the Director of the Information Technologies Department that the National Assembly has some gaps in its current capacity to transmit and disseminate legislative information both within and outside the National Assembly. A legislative strengthening assistance program should conduct a more in-depth review and evaluation of the National Assembly's information technology capacity and, if necessary, to design and implement a workplan, including resources for procuring the necessary equipment and software, to increase the capacity of the National Assembly to manage, exchange and disseminate legislative information electronically.



## **Appendix A**

### **List of Persons Interviewed for Assessment April 17 – May 2, 2001**

#### **Members of the National Assembly**

Yordan Sokolow	(UDF)	Speaker of the 38 <sup>th</sup> National Assembly
Tatyana Doncheva	(UDF)	
Ivan Kirilov	(Euroleft)	
Ivan Boikov	(Euroleft)	
Kemal Eyup	(MRF)	
Latchezar Toshev	(UDF)	Chair of the Environment Commission
Hristo Biserov	(Dialogue and Partnership)	
Dimitar Stefanov	(Dialogue and Partnership)	
Ilia Petrov	(Dialogue and Partnership)	
Jancki Stoilov	(BSP)	
Lyudmil Beshkov	(UDF)	
Assen Agov	(UDF)	Chair of Foreign Relations Commission
Younal Loutfi	(MRF)	Deputy Speaker
Mihail Mikov	(BSP)	
Nansen Behar	(Independent)	
Julian Burov	(UDF)	
Alexander Dzherov	(People's Union)	Deputy Speaker
Stanka Velichkova	(BSP)	
Donka Doncheva	(BSP)	

#### **National Assembly Staff**

Valetin Georgiev	Secretary General
Stefan Kospertov	Director of Eurointegration Department
Margarita Angelova	Director of the Library
Emilia Drumera	Director of the Legal Department
Tzonka Atanassova	Director of the International Activities Department
Mihaela Rousseva	Director of the Administrative Services Department
Atanas Atanassov	Director of the Information Technologies Department
George Spassov	Director of the Information and Public Relations Department
Mariana Vitanova	Director of the Parliamentary Information Center
Eugenia Popova	Coordinator of the Legislative Internship Program
Legislative Internship Program – Briefing by interns	

## **NGO Leaders**

Ognyan Minchev	Institute for Regional Studies
Ivan Kristov	Center for Liberal Strategies
Gergana Jouleva	Access to Information Program
Krassen Stanchev	Center for Market Economies

## **Journalist**

Korrinka Cherrenkova	Kultura Weekly
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## **Foreign Organizations and Individuals**

Joe Lowther	(MSI)
Katherine Dresser	(MSI)
Peter Hetz	(ARD)
Rick Asplund	(NDI)
David Krushe	(Private Consultant)

## **USAID**

Edward LaFarge	Economic Officer
William Foerderer	Economic Officer

## Appendix B

### List of Documents Reviewed for Assessment

1. Melone, Albert, *Creating Parliamentary Government: The Transition to Democracy in Bulgaria*, The Ohio State University Press, 1998.
2. Bell, John, "Democratization and Political Participation in 'Postcommunist' Bulgaria" in *Politics, Power, and the Struggle for Democracy in South-East Europe*, K. Dawisha and B. Parrott, eds., Cambridge University Press.
3. Fish, Steven and Brooks, Robin, "Bulgarian Democracy's Organizational Weapon," *East European Constitutional Review*, Summer 2000.
4. International Human Rights Law Group, *In the Public Eye: Parliamentary Transparency in Europe and North America*, (Chapter on Bulgaria).
5. Kanev, Dobrin, "The New Bulgarian Parliament: The Problem of Research Capabilities," in *The New Democratic Parliaments: The First Years*, L. Longley and D. Zajc, eds. Research Committee of Legislative Specialist, International Political Science Association, January 1998.
6. *Assistance Under the Special Programme of the US Congress for the Development of Parliamentary Institutions in Eastern Europe for the National Assembly of the Republic of Bulgaria 1991-1995*, Republic of Bulgaria National Assembly, Dec. 1995.
7. *Evaluation of Parliamentary Assistance in Central and Eastern European (CEE) Countries Under the Democratic Governance and Public Administration Project*, Development Associates, Inc., Washington, D.C., Jan. 1996.
8. *Final Report: Bulgaria Constituent Liaison Program for the National Assembly*, National Democratic Institute, undated.
9. *Final Report: Bulgaria Media Training for the National Assembly*, National Democratic Institute, undated.
10. *Rules of Organization and Procedure of the National Assembly*, Republic of Bulgaria National Assembly, Dec. 1998.
11. *Constitution of the Republic of Bulgaria established by the Grand National Assembly on July 12, 1991*, Republic of Bulgaria.
12. *Welcome to the National Assembly*, Parliamentary Information Center, Republic of Bulgaria National Assembly, undated.
13. *38<sup>th</sup> National Assembly Parliamentary Handbook*, National Assembly Publications Office, Republic of Bulgaria National Assembly, 1998.